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☐ Urgent ☒ Return reply requested ☐ Original will be sent as confirmation

To: U.S. Patent and Trademark Office

Date: December 22, 2003

Attention: Examiner Q. Nguyen  
Group Art Unit: 1636

Re: U.S. Utility Patent Application  
Appl. No. 09/617,116, Filed: July 14, 2000

From: Karen K. Markowicz *KRM*

For: Folyipolyglutaryl Synthetase Gene  
Transfer to Enhance Antifolate Drug  
Sensitivity

Pages (including cover sheet): 26

Fax No: 703-872-9306

Our Reference: 0609.4830001/JAG/KRM

## Message

1. SKGF Cover Letter;
2. Fee Transmittal Form (PTO/SB/17);
3. Petition of Extension of Time Under 37 C.F.R. § 1.136(a)(1);
4. Supplemental Amendment and Reply Under 37 C.F.R. § 1.116;
5. Form PTO-2038 Credit Card Payment Form in the amount of \$420.00 to cover the extension of time fee; and
6. Return Facsimile Cover Sheet.

Certification of Facsimile Transmission  
I hereby certify that these papers are being facsimile transmitted  
to the Patent and Trademark Office on the date shown below.

*P. Donnelly*  
Pamela C. Donnelly

Date: 12-22-03

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Sterne, Kessler, Goldstein & Fox P.L.L.C., 1100 New York Avenue, N.W., Washington, DC 20005 : 202.371.2600 / 1-877-371-2600 / [www.skgf.com](http://www.skgf.com)

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\*Admitted only in Maryland  
\*Admitted only in Virginia  
\*Practice limited to  
Federal Agencies

December 22, 2003

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INTERNET ADDRESS:

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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Mail Stop AF/Art Unit 1636

Re: U.S. Utility Patent Application  
Appl. No. 09/617,116; Filed: July 14, 2000  
For: Folylpolyglutamyl Synthetase Gene Transfer to Enhance Antifolate  
Drug Sensitivity  
Inventors: Aghi *et al.*  
Our Ref: 0609.4830001/JAG/KRM

Sir:

Transmitted herewith *via facsimile* for appropriate action are the following documents:

1. Fee Transmittal Form (PTO/SB/17);
2. Petition of Extension of Time Under 37 C.F.R. § 1.136(a)(1);
3. Supplemental Amendment and Reply Under 37 C.F.R. § 1.116;
4. Form PTO-2038 Credit Card Payment Form in the amount of \$420.00 to cover the extension of time fee; and
5. Return Facsimile Cover Sheet

It is respectfully requested that the attached facsimile cover sheet be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Sternes, Kessler, Goldstein & Fox P.L.L.C. : 1100 New York Avenue, NW : Washington, DC 20005 : 202.371.2600 : 202.371.2540 : [www.skgf.com](http://www.skgf.com)

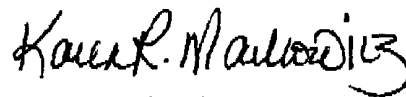
PAGE 3/26 \* RCVD AT 12/22/2003 4:34:25 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/2 \* DNS:8729306 \* CSID:2023712540 \* DURATION (mm:ss):06-04

Commissioner for Patents  
December 22, 2003  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Karen R. Markowicz  
Agent for Applicants  
Registration No. 36,351

KRM/pcd  
Enclosures

::ODMA\MHODMA\SKGF\_DC1;212653;1

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a unique identification number.

**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$420.00)****Complete if Known**

Application Number	09/617,116
Filing Date	July 14, 2000
First Named Inventor	Aghi et al.
Examiner Name	Nguyen, Q.
Art Unit	1636
Attorney Docket No.	0609.4830001/JAG/KRM

**METHOD OF PAYMENT (check all that apply)**☐ Check ☒ Credit card ☐ Money Order ☒ Other\*\* ☐ None

\*\* Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

☐ Deposit Account

Deposit Account Number 19-0036

Deposit Account Name: Slame, Kessler, Goldstein &amp; Fox P.L.L.C.

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any over payments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1105	160	2005	80	Provisional filing fee	

**SUBTOTAL (1) (\$)****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Extra Fee from below Fee Paid

Total Claims \_\_\_\_\_ - 20\*\* = \_\_\_\_\_ X \_\_\_\_\_ = \_\_\_\_\_

Indep. Claims \_\_\_\_\_ - 3\*\* = \_\_\_\_\_ X \_\_\_\_\_ = \_\_\_\_\_

Multiple Dependent \_\_\_\_\_ = \_\_\_\_\_

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) (\$)**

\*\*or number previously paid, if greater; For Reissue, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1502	50	2052	25	Surcharge-late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1612	2,520	1612	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1261	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month (less one (1) month paid on 10/31/03)	420.00
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to Institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$420.00)****SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)

Karen R. Markowicz

Registration No.  
(Attorney/Agent)

36,351

Telephone 202-371-2600

Signature

Karen R. Markowicz

Date

12/22/03

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2036.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed form to the USPTO. Time will vary depending on the complexity of the application. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20590. FAX: (703) 285-9001. MAIL: (703) 285-9001. E-MAIL: (703) 285-9001. OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, U.S. Patent and Trademark Office, Washington, DC 20590.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Aghi *et al.*

Appl. No. 09/617,116

Filed: July 14, 2000

For: **Folypolyglutamyl Synthetase  
Gene Transfer to Enhance  
Antifolate Drug Sensitivity**

Confirmation No. 5851

Art Unit: 1636

Examiner: Nguyen, Q.

Atty. Docket: 0609.4830001/JAG/KRM

**Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1)**Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450*Mail Stop AF*

Sir:

It is hereby requested that the period for replying to the outstanding Office Action be extended three (3) months from October 1, 2003 to January 2, 2004 (*January 1, 2004 being a Federal Holiday*) by the filing of this Petition and fee payment.

The petition fee (37 C.F.R. § 1.17(a)) is believed to be \$420.00 for a three (3) month extension for a small entity (*\$475.00 less one (1) month extension fee \$55.00 paid on October 31, 2003*). Fee payment is provided in our accompanying PTO-2038 Credit Card Payment Form. However, if extensions of time under 37 C.F.R. § 1.136 other than those provided herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.


12/23/2003 EAREGAY1 00000186 09617116

01 FC:1252

420.00 OP

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN &amp; FOX P.L.L.C.

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